

**SECTION:** CERTIFICATION

**SUBJECT:** Eligibility Requirement

**ITEM:** *Presence Requirement*



<b>Policy</b>	A local agency shall ensure that participants are physically present at all certification appointments, with limited exceptions. In the case of infants and children participants, a parent/guardian shall also be present.
<b>Basis for Policy</b>	CFR 246.7 (p) (1) (2) All States Memorandum 00-79 All States Memorandum 04-52 FNS Instruction 803-10, REV. 1
<b>Exemption to required presence during initial certification</b>	Infants under eight weeks of age who cannot be present at certification for a reason determined appropriate by the local agency and for whom all necessary certification information is provided. Local agency staff shall require the parent(s)/guardian(s) to bring the infant to the next appointment after the infant reaches eight weeks of age. Food Instruments shall <u>not</u> be issued after the infant reaches eight weeks of age unless the infant has been present at the local WIC agency or the infant is disabled.
<b>Exemptions to required presence during initial certification and re-certification</b>	<p>Local agency staff shall excuse an applicant from the physical presence requirement if physical presence would present an unreasonable barrier to current participation under the following circumstances:</p> <ol style="list-style-type: none"><li>1. A participant or parent/guardian of a participant who is a qualified individual with a disability as defined by the Americans with Disabilities Act. Examples include:<ul style="list-style-type: none"><li>• a medical condition that necessitates the use of medical equipment that is not easily transportable;</li><li>• a medical condition that requires confinement to bed rest;</li><li>• a serious illness that may be exacerbated by coming into the WIC site; or</li><li>• a serious illness that is highly contagious (i.e., tuberculosis).</li></ul></li></ol>

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**Exemptions  
to required  
presence  
during initial  
certification  
and re-  
certification  
(Continued)**

**Note: All applicants with disabilities are not automatically exempt from the physical presence requirement. Only those disabilities that create a current barrier to the physical presence requirement may serve as a basis for an exemption.**

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**Exemptions  
to required  
presence  
during re-  
certification**

The following participants may be excused from the physical presence requirement at recertification:

1. An infant or child:
  - who was present at the initial certification,
  - is receiving ongoing health care, and
  - whose physical presence would pose an unreasonable barrier to participation.
2. An infant or child:
  - who was present at the initial certification,
  - was present at a WIC certification or recertification determination within the one year period ending on the date of the most recent certification or recertification determination, and
  - who is under the care of one or more working parents/guardians, AND whose working status presents a barrier to bringing the infant or child to the WIC clinic.

**Note: Infants and children determined exempt from presence at a recertification because of working parents/guardians, MUST be present for the next six-month recertification. In households where there are two parents/guardians, BOTH parents/guardians MUST be working in order for the presence at certification exemption to apply.**

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## **Length of time for exemption**

At, or prior to recertification, the need for the applicant's exemption from physical presence shall be reassessed. In the case of short-term or limited conditions, the length of time an applicant may be exempt from the physical presence requirement is limited to the current certification period. In the case of long-term or permanent conditions, an extended exception to the physical presence requirement may be necessary.

Infants that are exempt from presence at enrollment certification for up to eight weeks following birth must be brought to the WIC site after eight weeks of age or be disqualified from the WIC Program unless they meet criteria to be categorized as disabled.

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## **Documen- tation**

Local agency staff shall document whether an applicant/participant is present at a certification appointment in the "Present at Cert" field on the Certify Individual Screen in the Integrated Statewide Information System (ISIS). Acceptable codes are:

- Y - Present
- D - Not present – Disabled
- H - Not present at recert – ongoing health care (infant/child)
- I - Infant, less than eight weeks old, not present at enrollment
- W - Not present at recert – working parents (infant/child)

**Note: The local agency is still responsible for obtaining proof of identity, address and income (WPM sections 210-30, 210-40, 270-20 et. al.) for all applicants, including those unable to be present.**

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## **Examples of Code Use**

(D) Disabled:

- Participant/Guardian of an infant/child is disabled and cannot transport the infant or child to the WIC agency.
  - Participant/Guardian or infant/child has contracted a contagious disease such as active tuberculosis or chicken pox.
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**Examples of  
Code Use  
(Continued)**

(H) Ongoing Health Care:

- Child/infant is receiving chemotherapy at a regional medical center and cannot travel to the WIC agency. This code can only be used if the infant/Child has previously been physically present at the local WIC agency.

(I) Infant less than eight weeks of age:

- Hispanic infant three weeks of age. Cultural tradition in some Hispanic cultures forbids the infant from leaving the home for up to six weeks after birth. Food Instruments are single issued and a hold is placed in ISIS by local agency staff. the infant must be present at the agency after eight weeks of age to continue to receive program benefits.

(W) Working Parents:

- The parent/guardian of the infant/child must leave work to recertify an infant or child, but cannot obtain enough time off to retrieve the child from daycare, bring the infant/child into the agency, return the child to daycare, and return to work.

**Note: An infant/child must have been present for the initial WIC enrollment.**

**In two-parent families, BOTH parents must be working and it must present a barrier to participation for the infant/child if neither parent were able to leave work and bring the infant/child to the recertification appointment.**

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